



Environmental  
Facilities Corporation

Department of  
Environmental Conservation

# **FINAL INTENDED USE PLAN Clean Water State Revolving Fund Federal Fiscal Year 2022**

Effective October 1, 2021 - September 30, 2022

## **AMENDMENT NO. 1**

Final, March 2022

State of New York  
**Kathy Hochul, Governor**

**Basil Seggos**  
**Commissioner**  
Department of Environmental  
Conservation  
[www.dec.ny.gov](http://www.dec.ny.gov)

**Maureen A. Coleman**  
**President and CEO**  
Environmental Facilities Corporation  
[www.efc.ny.gov](http://www.efc.ny.gov)



**FINAL AMENDMENT NO. 1  
CLEAN WATER STATE REVOLVING FUND  
FFY 2022 FINAL INTENDED USE PLAN**

**ADDITION OF GREEN INNOVATION GRANT PROGRAM (GIGP) PROJECTS TO  
THE ANNUAL PROJECT PRIORITY LIST, REVISIONS TO THE ANNUAL  
PROJECT PRIORITY LIST, SMART GROWTH REVIEW, AND PUBLIC NOTICE OF  
REVISED HARDSHIP POLICY.**

March 2022

## Overview

The New York State Environmental Facilities Corporation (“EFC”) administers the Clean Water State Revolving Fund (“CWSRF”) on behalf of the New York State Department of Environmental Conservation (“DEC”). This amendment to the Federal Fiscal Year (“FFY”) 2022 CWSRF Intended Use Plan (“IUP”) addresses four topics:

1. Addition of Green Innovation Grant Program (GIGP) Round 13 projects to the Annual Project Priority List,
2. Revisions to the Annual Project Priority List,
3. Smart Growth review of projects added to the Annual Project Priority List, and
4. Public Notice of the [revised Hardship Policy](#).

## GIGP Round 13 Projects

On December 14, 2021, the Governor announced the award of GIGP Round 13 projects. These 17 projects are added to the Annual Project Priority List in Category G. A revised Annual Project Priority List for Category G is included as Attachment 1 to this Final Amendment.

## Revisions to the Annual CWSRF Project Priority List and Table B, Allocation of Project Dollars

The following revisions have been made to the 2022 CWSRF IUP:

1. Project No. 5147-09-00 for City of Long Beach is added to the Annual List in Category B. This project will pre-finance third-party grants (new listing). The addition of this project to the Annual List does not affect the ability of other applicants to access subsidized financing.
2. The Oneida County project number 6070-08-15 was mistakenly used to identify two projects listed twice in Category B of the Annual List. The project with an estimated project cost of \$41,722,215 is corrected to be Project No. 6070-08-18. This correction does not result in a net change in available funding for these two projects.
3. The City of Oswego project number listed as number 6344-02-00 in category G of the Annual List is corrected to be 6344-22-00. This change does not result in a net change in available funding for the project.

## Smart Growth Review

EFC reviews all applicable projects in accordance with the New York State Smart Growth Public Infrastructure Policy Act of 2010. EFC sought comments from the public on projects that are being added to the Annual CWSRF Project Priority List by this amendment. The GIGP projects are annotated in Attachment 1 to this Final Amendment. No comments were received.

## Hardship Policy

Section 6.2 Hardship Financing of the 2022 IUP is updated to include the following at the end of the section:

“Projects eligible for additional subsidy in the form of grant or principal forgiveness may receive up to \$25 million or 25% of eligible project costs, net of non-EFC grants, whichever is less.

To be considered for additional subsidy, a municipality must have:

- been notified that the project is eligible for hardship financing,
- submitted an acceptable financing application,
- not executed a CWSRF short-term project financing agreement before the beginning of the FFY, and not executed a long-term project financing agreement, and
- not substantially completed construction before the beginning of the FFY.

EFC will determine the amount of additional subsidy available each FFY. Awards will be offered in score order using the raw score (no bonus points). EFC will set a date by which the additional subsidy must be obligated in a fully executed project finance agreement. Eligibility for additional subsidy will expire if this date is not met. At the discretion of EFC, an extension of eligibility for additional subsidy may be granted under certain limited circumstances.”

## Public Review and Comment on Amendment No. 1

A public notice on the availability of Draft Amendment No. 1, including a request for comments, was published in the [Environmental Notice Bulletin](#) on February 16, 2022. EFC accepted written comments on Amendment No.1 to the 2022 CWSRF IUP until close of business March 7, 2022. EFC received several comments that were not relevant to the IUP amendments or the revision to the CWSRF Hardship Policy. For these comments, EFC will reply directly to the individual commenters.

EFC also received several comments from one commenter on the specific revisions to the IUP and Hardship Policy which increase the additional subsidy to 25% up to a maximum of \$25 million. The commentator believes that significant revision is needed to address discriminatory practices toward small communities within and outside of the Adirondack Park because 25% of net project costs is woefully inadequate to address affordable infrastructure needs. It also disenfranchises small municipalities because it disincentivizes a community to obtain a supplemental grant from another state or federal program, eliminating the benefits of the supplemental award despite demonstrated need. In addition, allowing up to \$25 million benefits only large projects while marginalizing those small communities that cannot afford high user fees and/or lack bonding capabilities and smaller cost projects commensurate with the needs of the community.

The commenter also stated that with the influx of Federal Clean Water Infrastructure funding coming over the next few years to supplement the current capitalization grants and state match forgiveness for these additional funds, supplemental grants should be at 75% for communities. This is extremely important for those small hamlet public facility improvement districts within the Adirondack Park as evidenced by recent census data metrics.

Answer:

EFC agrees that 25% in additional subsidy is often not enough to make projects affordable for smaller communities. EFC does not agree, however, that increasing the cap on additional subsidy benefits larger projects to the detriment of smaller communities. Increasing the percentage and the cap will help all communities regardless of the size of the projects. Plus, there are hardship and smaller communities across the state that must undertake large projects and these revisions will assist in helping to make the projects more affordable. Further, in addition to these increases, EFC intends to use the significant resources from the Bipartisan Infrastructure Law to provide higher levels of additional subsidy to disadvantaged and environmental justice communities. EFC plans to make these additional monies available in the 2023 Intended Use Plan.

EFC disagrees that awarding grants on net project costs eliminates the benefits of supplemental state or federal grants. However, the revisions to the additional subsidy limits are intended to allow a community to receive a 25% CWSRF federal grant in addition to a Water Infrastructure Improvement Grant. Therefore, the language in the final revised Hardship Policy and this Amendment has been corrected to read:

“Projects eligible for additional subsidy in the form of grant or principal forgiveness may receive up to \$25 million or 25% of eligible project costs, net of non-EFC grants, whichever is less.”

This revision will allow a community to receive a 50% grant up to \$50 million.

For additional information regarding the CWSRF program, please visit EFC’s website at [www.efc.ny.gov](http://www.efc.ny.gov) or call EFC at (518) 402-6924.

## Attachment 1

2022 FINAL CWSRF INTENDED USE PLAN

Final Amendment No. 1

Annual CWSRF Project Priority List Category G

2022 FINAL CWSRF INTENDED USE PLAN  
**Annual CWSRF Project Priority List**  
**Project Category: G**  
(in alphabetical order)

Project No.	Applicant Name	Project Description	Estimated Amount	2022 Need	Notes	SPDES No.*
<b>C8-6413-02-01</b>	<b>Addison, Village of</b>	<b>[ISC1] Planning, design and construction of repairs to the collection system in areas identified as having excessive infiltration and inflow and construction of a phosphorus removal system at the WWTP to improve water quality in the Canisteo River.</b>	<b>\$225,450</b>	<b>\$0</b>	<b>W</b>	<b>NY0020320</b>
C4-5402-14-03	Albany MWFA	[ISC2] Planning, design and construction of collection system improvements to protect water quality in the Hudson River.	\$500,000	\$500,000	W	NY0025747
<b>C4-5402-15-01</b>	<b>Albany MWFA</b>	<b>[ISC1] Planning, design, and construction of collection system improvements to protect water quality in the Hudson River.</b>	<b>\$600,000</b>	<b>\$0</b>	<b>W</b>	<b>NY0025747</b>
C4-5402-17-02	Albany Water Board *Added by Amendment 1*	[GIGP13] Planning, design, and construction of bioretention and a constructed wetland to protect the water quality of the Hudson River.	\$1,250,000	\$1,250,000		NY0025747
C9-6600-01-00	Barcalo Buffalo LLC *Added by Amendment 1*	[GIGP13] Planning, design, and construction of bioretention, stormwater street trees, a green roof, as well as a harvest and reuse system to improve the water quality in the City of Buffalo.	\$530,000	\$530,000		NO SPDES
C8-6460-08-00	Batavia, Town of *Added by Amendment 1*	[GIGP13] Planning, design, and construction of water meter upgrades with advanced metering technology to reduce water loss.	\$730,000	\$730,000		NO SPDES
C7-6207-05-00	Binghamton, City of	[GIGP12] Planning, design, and construction of stormwater street trees and bioretention to improve water quality in the Chenango and Susquehanna Rivers.	\$330,000	\$330,000		NO SPDES
C2-9261-01-00	Bronx River Alliance	[GIGP11] Planning, design and construction of renaturalize a 3 mile section of the Bronx River by removing invasive plants and planting native riparian vegetation.	\$495,000	\$495,000		NO SPDES
C9-9262-01-00	Buffalo Niagara Waterkeeper	[GIGP11] Planning, design and construction of bio retention areas, an emergent wetland, and a living shoreline as part of the Ralph C. Wilson, Jr. Centennial Park project to enhance fish and wildlife habitat, ensure coastal resiliency, and improve water quality in the Niagara River and Lake Erie.	\$2,500,000	\$2,500,000		NO SPDES
C9-6602-31-00	Buffalo Sewer Authority *Added by Amendment 1*	[GIGP13] Planning, design, and construction of repairs to the waste heat recovery boiler and steam system to increase energy efficiency at the treatment facility.	\$2,925,000	\$2,925,000		NY0028410
C9-6602-29-00	Buffalo Sewer Authority	[GIGP12] Planning, design, and construction of green streets to renovate an environmental justice area and improve water quality in the Niagara River.	\$1,100,000	\$1,100,000		NO SPDES
C4-5444-03-00	Coeymans, Town of	[GIGP12] Planning, design, and construction of bioretention areas and stormwater street trees to alleviate flooding at the Landing Riverfront Park.	\$1,000,000	\$1,000,000		NO SPDES
C4-5404-04-02	Cohoes, City of	[GIGP12] Planning, design, and construction of wetlands along the Mohawk-Hudson Bike Trail to reduce combined sewer overflows and improve water quality in the Hudson River.	\$1,000,000	\$1,000,000		NO SPDES

2022 FINAL CWSRF INTENDED USE PLAN  
**Annual CWSRF Project Priority List**  
**Project Category: G**  
(in alphabetical order)

Project No.	Applicant Name	Project Description	Estimated Amount	2022 Need	Notes	SPDES No.*
C7-6275-05-01	Cortland, City of	[ISC1] Design and construction of a project to replace gravity and storm sewer on Clinton Avenue to improve the water quality of the Tioughnioga River.	\$391,716	\$0	W	NY0027561
C7-6275-07-01	Cortland, City of	[ISC1] The planning, design and construction of green infrastructure and drainage improvements in the Southside services area to improve water quality in the West Branch of the Tioughnioga River.	\$354,250	\$354,250	W	NY0027561
C6-6168-01-00	Diana, Town of	[GIGP12] Planning, design, and construction of water meters in Diana Water District No. 1 to comply with the Town's Water Withdrawal Permit.	\$150,000	\$150,000		NO SPDES
C9-6696-08-00	Erie County *Added by Amendment 1*	[GIGP13] Planning, design, and construction of bioretention, stormwater street trees, and porous pavement to help improve the water quality in the City of Buffalo.	\$1,305,000	\$1,305,000		NO SPDES
C7-6397-14-00	Fulton, City of *Added by Amendment 1*	[GIGP13] Planning, design, and construction of bioretention, porous pavement, and a riparian buffer to treat stormwater along the Erie Canal.	\$1,030,000	\$1,030,000		NO SPDES
C5-5604-01-00	Gloversville Water Works	[GIGP12] Planning, design, and construction of water meter upgrades with advanced metering infrastructure technology to reduce water loss.	\$850,000	\$850,000		NO SPDES
C2-7601-01-00	Green-Wood Cemetery *Added by Amendment 1*	[GIGP13] Planning, design, and construction of bioretention and a harvest and reuse system to protect the New York City Water Supply System.	\$1,775,000	\$1,775,000		NO SPDES
C5-5512-05-01	Lake Placid, Village of	[ISC1] Planning, design and construction of sanitary sewer replacement to maintain water quality in the Chubb River.	\$1,465,588	\$0	W	NY0022187
C1-5147-08-00	Long Beach, City of *Added by Amendment 1*	[GIGP13] Planning, design, and construction of water meter upgrades with advanced metering technology to reduce water loss.	\$2,000,000	\$2,000,000		NO SPDES
C6-6040-02-01	Mohawk, Village of	[ISC2] Planning, design, and construction of wastewater collection system improvements to protect water quality in the Hudson River.	\$923,500	\$923,500	W	No SPDES
C6-6040-04-00	Mohawk, Village of *Added by Amendment 1*	[GIGP13] Planning, design, and construction of Minnow Brook floodplain restorations to protect the resiliency of the Fulmer Creek watershed.	\$1,550,000	\$1,550,000		NO SPDES
C3-7332-11-02	Newburgh, City of	[GIGP12] Planning, design, and construction of bioretention and stormwater street trees to reduce runoff along Broadway.	\$800,000	\$800,000		NO SPDES
C7-6262-05-00	Norwich, City of	[GIGP12] Planning, design, and construction of water meter upgrades with advanced metering infrastructure technology to reduce water loss.	\$1,000,000	\$1,000,000		NO SPDES
C1-5122-07-01	Ocean Beach, Village of	[ISC1] Planning, design and construction for sanitary/storm sewer separation to reduce surcharging of sanitary sewers and WWTP during storm events.	\$800,000	\$800,000	W	NY0020168
C6-6070-08-17	Oneida County	[GIGP12] Planning, design, and construction of microturbines to utilize excess biogas and increase electricity production at the wastewater treatment plant.	\$1,250,000	\$1,250,000		NO SPDES
C8-6407-12-01	Ontario, Town of	[GIGP12] Planning, design, and construction of a cascade post aeration system to reduce energy consumption at the Town's wastewater treatment plant.	\$415,000	\$415,000		NO SPDES

**2022 FINAL CWSRF INTENDED USE PLAN**

**Annual CWSRF Project Priority List**

**Project Category: G**

(in alphabetical order)

Project No.	Applicant Name	Project Description	Estimated Amount	2022 Need	Notes	SPDES No.*
C7-6344-22-00	Oswego, City of	[GIGP12] Planning, design, and construction of energy efficient blowers at the Eastside Wastewater Treatment Plant to provide a reduction in energy use and aid in plant efficiency.	\$1,000,000	\$1,000,000		NO SPDES
C7-6344-22-00	Oswego, City of	[GIGP12] Planning, design, and construction of energy efficient blowers at the Eastside Wastewater Treatment Plant to provide a reduction in energy use and aid in plant efficiency.	\$1,000,000	\$1,000,000		NO SPDES
C9-6800-01-00	Pomfret, Town of *Added by Amendment 1*	[GIGP13] Planning, design, and construction of water meter upgrades with advanced metering technology to reduce water loss.	\$135,000	\$135,000		NO SPDES
C3-7348-07-00	Poughkeepsie, City of	[GIGP12] Planning, design, and construction of rain gardens, bioretention, and trees in the Malcolm X pocket park to increase green space in an environmental justice area and improve water quality in the Fall Kill Creek and Hudson River.	\$355,000	\$355,000		NO SPDES
C7-6349-05-00	Pulaski, Village of *Added by Amendment 1*	[GIGP13] Planning, design, and construction of the installation of water meters with advanced metering technology to reduce water loss.	\$285,000	\$285,000		NO SPDES
C4-5439-04-00	Ravena, Village of	[GIGP12] Planning, design, and construction of daylighting a portion of the Hannacroix Creek to improve waterquality in the creek and the Hudson River.	\$475,000	\$475,000		NO SPDES
C8-6445-05-00	Rochester, City of *Added by Amendment 1*	[GIGP13] Planning, design, and construction of water meter upgrades with advanced metering technology to reduce water loss.	\$335,000	\$335,000		NO SPDES
C6-6037-17-01	Rome, City of	[GIGP12] Planning, design, and construction of a combined heat and power system and increasing the capacity of the anaerobic digesters at the County Wastewater Treatment Plant to aid the facility in producing enough biogas to achieve net-zero energy status.	\$2,000,000	\$2,000,000		NO SPDES
C5-5569-07-01	Saratoga County *Added by Amendment 1*	[GIGP13] Planning, design, and construction of a new biosolids facility to reduce energy consumption at the wastewater treatment facility.	\$2,000,000	\$2,000,000		NY0028240
C8-6466-06-00	Seneca Falls, Town of *Added by Amendment 1*	[GIGP13] Planning, design, and construction of water meter upgrades with advanced metering technology to reduce water loss.	\$1,285,000	\$1,285,000		NO SPDES
C4-5425-04-00	Sidney, Village of *Added by Amendment 1*	[GIGP13] Planning, design, and construction of the installation of water meters with advanced metering technology to reduce water loss.	\$480,000	\$480,000		NO SPDES
C4-9312-01-00	South End Development, LLC *Added by Amendment 1*	[GIGP13] Planning, design, and construction of bioretention, a green roof, and a rainwater harvest and reuse system to protect the water quality of the Hudson River.	\$2,345,000	\$2,345,000		NO SPDES
C5-7505-02-00	South Glens Falls, Village of	[GIGP12] Planning, design, and construction of an automatic meter reading system to increase water efficiency.	\$1,000,000	\$1,000,000		NO SPDES
C3-7367-01-00	The Mulford Corporation *Added by Amendment 1*	[GIGP13] Planning, design, and construction of bioretention, stormwater street trees, and downspout disconnection to treat stormwater in the City of Yonkers.	\$900,000	\$900,000		NO SPDES



2022 FINAL CWSRF INTENDED USE PLAN

Annual CWSRF Project Priority List

Project Category: G

(in alphabetical order)

Project No.	Applicant Name	Project Description	Estimated Amount	2022 Need	Notes	SPDES No.*
C5-5520-11-01	Ticonderoga, Town of	[GIGP12] Planning, design, and construction of an effluent heat exchanger system to reduce emissions, improve ventilation, and increase the longevity of the equipment at the water pollution control plant.	\$1,000,000	\$1,000,000		NO SPDES
<b>C6-6076-05-04</b>	<b>Utica, City of</b>	<b>[ISC1] Planning, design, and construction of the elimination of a combined sewer overflow and inflow and infiltration correction Phase A9.2 to improve water quality in the Mohawk River and tributaries.</b>	<b>\$484,750</b>	<b>\$0</b>	<b>W</b>	<b>NY0031429</b>
C3-7303-04-00	Walkill, Town of	[GIGP12] Planning, design, and construction of water meter upgrades with advanced metering infrastructure technology to reduce water loss in Consolidated Water District 1.	\$950,000	\$950,000		NO SPDES
C5-5559-05-03	Washington County	[GIGP12] Planning, design, and construction of energy efficient influent pumps at the Sewer District #2 Wastewater Treatment Plant to reduce energy consumption.	\$940,000	\$940,000		NO SPDES
C3-7355-06-00	Yonkers, City of	[GIGP10] Planning, design, and construction of green infrastructure improvements for the continued daylighting of the Saw Mill River and installation of porous pavement, bioretention and street trees to reduce stormwater runoff and protect water quality in the Saw Mill & Hudson Rivers.	\$1,250,000	\$1,250,000		NO SPDES

Category G Subtotal: \$44,297,750  
Total Number of Projects: 48